

United States District Court  
Eastern District of Wisconsin

Disha King  
Lee'Mon Tillery

(Full Name of Plaintiff or Plaintiffs)

vs  
Katz Properties

(Full Name of Defendant or Defendants)

U.S. DISTRICT COURT  
EASTERN DISTRICT-WI  
FILED

2011 MAY 13 A 8 28

11-CV-0457 SANFILIPPO  
CLERK

No.

(Supplied by Clerk)

COMPLAINT

I. PREVIOUS LAWSUITS

A. Have you begun other lawsuits in state or federal court relating to the same occurrence involved in this action?

☐ YES

☒ NO

B. Have you begun other lawsuits in state or federal court?

☒ YES

☐ NO

C. If your answer to A or B was YES, provide the requested information below. If there is more than one lawsuit, describe each additional one on a separate sheet of paper, using the same outline.

1. Parties to the previous lawsuit

Plaintiff(s)

Disha King

Defendant(s)

Advance America Cash Advance

2. Court in which lawsuit brought (if federal court, name district; if state court, name the county) Eastern District of Wisconsin

3. Docket number \_\_\_\_\_
4. Current status (for example: Was the case dismissed? Was it appealed? Is it still pending)? Dismissed without prejudice
5. Approximate date of filing lawsuit June 11, 2010
6. Approximate date of disposition \_\_\_\_\_

II. PARTIES

- A. Your name (PLAINTIFF) Dasha King and Lee'Ann Tillery
- B. Your Address 185 E. Fairmount Avenue #2; Whitefish Bay, WI 53217
- (If there is more than one plaintiff, use the margin for extra space if you need it. List the address only if it is different from the address listed above).
- C. DEFENDANT (name) Katz Properties
- D. Defendants address 614 W. Brouncker Road, Suite 300; Bayside, WI 53217
- E. Additional DEFENDANTS (names and addresses) \_\_\_\_\_

III. STATEMENT OF CLAIM (follow instructions carefully)

State briefly as possible the *essential facts* of your case. Tell what each defendant did to you that caused you to file this suit against them. If you are complaining about more than one wrong, use a separate **numbered** paragraph for each wrong, and describe each wrong in that paragraph and only that paragraph. State only the facts. *Do not give any legal theories or arguments, do not cite any cases or statutes. Do not feel you have to use all the space.* USE NO MORE THAN THE SPACE PROVIDED. THE COURT STRONGLY DISAPPROVES OF STATING CLAIMS OUTSIDE THE SPACE PROVIDED.

Begin statement of claim:

We had a year lease with Katz Properties from April 30, 2010 to April 30, 2011. Throughout the time that we resided at their 2550 N. Lake Drive property, we experienced a major maintenance issue with the dishwasher which subsequently led to our kitchen flooding. After multiple voicemails were left with both the apartment's manager and the main office in Brown Deer, we were never contacted back. The dishwasher was replaced about three weeks before we moved out.

While still getting ourselves settled into the apartment, we received various interruptions from the apartment's manager (Tony Duerkop) asking if he could show our apartment to prospective tenants without giving us any proper (12-hour) notice. He would also knock on our door at various and random occasions regarding issues that had nothing to do with us, such as <sup>the</sup> noise of other tenants and trash issues.

STATEMENT OF CLAIM CONTINUED

We never received a mail box label for our mailbox like the other new tenants did, therefore in order to receive our mail, we had to create and place one on ourselves. We were finally made a proper label by him ~~exactly~~ seven months into our lease.

In February (when receiving a renewal) we decided not to renew our lease and days after, we were notified that we had to be out on April 30<sup>th</sup> at noon. Following that notification, numerous viewings were scheduled and we were even asked in an email from Tony Duerkop if we could move out by April 15, 2011 due to a prospective tenant having interest in the apartment and wanting to move in on April 15, 2011. On April 25, 2011 we received an email that was subjected "Move Out." Such occurrences made our living situation very uncomfortable, hard for us to ever settle in, and very hard in us preparing



STATEMENT OF CLAIM CONTINUED

to vacate.

On April 26, 2011 we contacted the main office to inquire about receiving our security deposit the same day as our walk-through and returning of keys. We were advised that a "James" would walk through the apartment and that if all is well with the apartment, we would receive our security deposit on ~~April~~<sup>April</sup> 30, 2011 in hand. Instead, on April 30, 2011 at noon, the apartment manager Tony walked through and advised that the apartment looked "great". When we asked about James and our security deposit, Tony stated that he doesn't know of a James and that we had to wait till the following week to receive it. On May 6, 2011 when we called the main office to check the status of our security deposit, "Dan" stated that due to us calling, he will "now delay" sending our security deposit because he "can" and told us to not call ever again. We were the only black tenants in the building.

END STATEMENT OF CLAIM

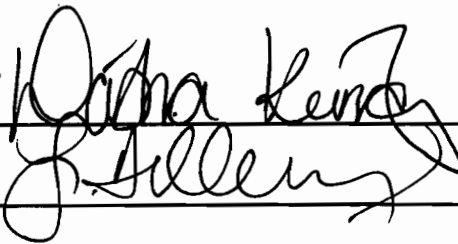
#### IV. RELIEF YOU REQUEST

State exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes. DO NOT USE THIS SPACE TO STATE THE FACTS OF YOUR CLAIM. USE IT ONLY TO REQUEST REMEDIES FOR THE INJURIES YOU COMPLAIN ABOUT. Use only the space provided. The court strongly disapproves of requesting remedies outside the space provided.

- Amount of full security deposit (\$1,095.00)
- Compensatory (General) Damages
- Punitive Damages
- Full payment of any and all legal fees (if any were to incur).

I declare under penalty of perjury that the foregoing is true and correct.

Complaint signed this 13 day of May, 2011.

  
Diana Kennedy

(Signature of Plaintiff(s))